

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CALLAWAY GOLF COMPANY,

Plaintiff,

v.

ACUSHNET COMPANY,

Defendant.

C. A. No. 06-91 (SLR)

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**DECLARATION OF MARIO GODBOUT IN SUPPORT OF
PLAINTIFF CALLAWAY GOLF'S MOTION FOR A PERMANENT INJUNCTION**

I, Mario Godbout, declare as follows:

1. I am currently Vice President of Golf Ball Operations for Callaway Golf Company ("Callaway Golf"). I have been in that position since December 2006. Prior to that, I was Senior Director of Engineering of Golf Ball Operations for Callaway Golf. I was in that position since September 2003.

2. Prior to September 2003, I was Director of Manufacturing and Engineering of Golf Balls for Spalding/Top-Flite Corporation. I was involved in golf ball manufacturing with Spalding/Top-Flite for more than 16 years.

3. Between my work experience with Spalding/Top-Flite and my work experience with Callaway Golf, I have been involved in golf ball manufacturing for more than 20 years. Based on that experience, I have intimate knowledge of the manufacturing capabilities and capacities available to Callaway Golf at its various manufacturing facilities.

4. In 2007, Callaway Golf brought on-line 6 new production cells to manufacture Callaway Golf's new premium golf balls, to be introduced in

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The of balls is designed to compete directly with the Titleist Pro V1, as well as all other premium golf ball offerings from Callaway Golf's other competitors in the golf ball business.

5. Each new cell is capable of manufacturing

With all 6 lines operating, Callaway Golf can manufacture Based on a which is the work-year on which Callaway Golf's ball manufacturing plants typically run and can run based on need, Callaway Golf has the present capability to manufacture

6. In addition, Callaway Golf has cells that are used to manufacture Callaway Golf HX.Tour and HX.Tour 56 golf balls. In 2007, the HX.Tour and the HX.Tour 56 were Callaway Golf's premium grade balls that competed directly with the Titleist Pro V1.

7. Each is capable of manufacturing | With all operating, Callaway Golf can manufacture Based on a Callaway Golf has the present capability to manufacture HX line golf balls per year using its lines.

8. However, because the of golf balls use some of the same finishing machines as the golf balls manufactured on the Callaway Golf cannot take full advantage of all and manufacturing cells simultaneously. Total current golf ball manufacturing capabilities combining the and the

9. In addition to the and the Callaway Golf currently has 5

Those cells currently manufacture golf balls. With an investment of approximately | those could be converted to manufacture solid core, multi-layer, polyurethane covered golf balls, specifically HX Red and/or HX Blue golf balls, within ¹ Each can manufacture approximately With all operating, Callaway Golf can

¹ The HX Red and HX Blue are premium golf balls that were sold by Callaway Golf, and directly competed with the Titleist Pro V1 from 2002-2003.

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Based on a manufacture, Callaway Golf has the capability to manufacture an additional

10. Aside from its U.S. operations, Callaway Golf also has an off-shore golf ball manufacturing operation in Asia. That Asian manufacturing operation also has that could be quickly modified to manufacture solid core, multi-layer, polyurethane covered golf balls, specifically the HX Red and/or HX Blue. Currently, those TPU cells are manufacturing golf balls. Although slightly different than Callaway Golf's U.S. operations, with an investment of approximately Callaway Golf could convert the in its Asia plant to manufacture solid core, multi-layer, polyurethane covered golf balls within Each in its Asia plant is capable of producing

With all operating, Callaway Golf can produce at its Asia plant. Based on a which is the work year mandated by law in the country where Callaway Golf's Asia plant is located, Callaway Golf could manufacture an additional at its Asia plant.

11. Thus, within an and with an investment of approximately Callaway Golf has the capability to manufacture approximately premium solid core, multi-layer, polyurethane covered golf balls per year. The needed to convert to production of solid core, multi-layer, polyurethane covered golf balls on the TPU lines represents only approximately for 2008.

Executed under penalty of perjury this th day of January, 2008, at Chicopee,
Massachusetts.

Mario Godbeut 1/15/08

CERTIFICATE OF SERVICE

I hereby certify that on January 24, 2008, the attached document was electronically filed with the Clerk of Court using CM/ECF which will send electronic notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I hereby certify that on January 24, 2008, I have Electronically Mailed the document to the following person(s):

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